

REQUEST FOR FILING A PATENT APPLICATION UNDER 37 C.F.R. §1.53(b)
Attorney Docket: 029065.48666C1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



Sir:

This is a request for filing a continuation application under 37 C.F.R. 1.53(b), of pending prior application:

Serial No. 09/956,095

Filed on September 20, 2001

Of Marc G. ACHEN et al.

Entitled: METHODS FOR TREATING NEOPLASTIC DISEASE
CHARACTERIZED BY VASCULAR ENDOTHELIAL GROWTH
FACTOR D EXPRESSION, FOR SCREENING FOR NEOPLASTIC
DISEASE OR METASTATIC RISK, AND FOR MAINTAINING
VASCULARIZATION OF TISSUE

Examiner: P. HUYNH

Group: 1644

- X 1. Accompanying this order is a true copy of the prior application as originally filed including 44 claims (89 pages), Sequence Listing (Pages 1-6) and 21 Sheets of Formal Drawings showing Figs. 1-20.
2. New Formal drawings are being filed herewith consisting of sheet(s), depicting Figures .
- X 3. Declaration and Power of Attorney:
- a. Newly executed (original or copy)
- b. X Copy from prior application
- i. Deletion of Inventors - signed statement attached deleting inventor(s) named in the prior application
- X 4. Incorporation by Reference:

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 3b, is considered as

15915 U.S. PTO
07/28/03

being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

5. Cancel original claims ____ .
6. Small entity status:
- a. ____ A small entity statement is enclosed
- b. ____ A statement of small entity status (copy attached) was filed on ____ in the prior application and status as a small entity is still proper and desired.
- c. ____ Is no longer claimed
- X 7. Please enter the attached Preliminary Amendment prior to calculation of the filing fee.

**CLAIMS AS FILED, INCLUDING ANY CLAIMS
CANCELLED OR ADDED BY PRELIMINARY AMENDMENT**

Basic Fee						<u>\$375</u>		<u>\$750</u>	
Total Claims	<u>29</u>	-	20	=	<u>9</u>	x	9 = \$	18 = \$ 162	
Ind. Claims	<u>6</u>	-		=	<u>3</u>	x	42 = \$	84 = \$ 126	
<u>Multiple Dependent Claims</u>						+	140 = \$	280 = \$	
	Total							\$	\$1,038.00

- X 8. Please charge my Deposit Account No. 05-1323 (Docket # 029065.48666C1) in the amount of \$ 1,038.00.
- ____ 9. A check in the amount of ____ to cover the filing fee is enclosed.
- X 10. The Commissioner is authorized to charge any fee which may be required under 37 CFR 1.16 or 37 CFR 1.17 or credit any overpayment to Deposit Account No. 05-1323 (Docket #029065.48666C1).
- X 11. Amend the specification by inserting before the first line the sentence: --This application is a continuation of application Serial No. 09/956,095, filed September 20, 2001---
- X 12. Benefit is hereby claimed under 35 U.S.C. §120 of prior U.S. patent

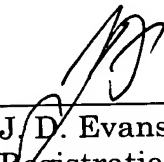
application Serial Nos. 09/956,095 filed September 20, 2001;
09/796,714 filed on March 2, 2001; 60/186,361, filed March 2, 2000
and 60/234,196, filed September 20, 2000.

13. A certified copy of each said priority document was filed in application Serial No. on .
- X 14. The prior application is assigned of record to Ludwig Institute for Cancer Research. The assignment was recorded on February 5, 2002 at reel 012562, frame 0136.
- X 15. The power of attorney in the prior application is to:
- Herbert I. Cantor, Reg. No. 24,392; James F. McKeown, Reg. No. 25,406; Donald D. Evenson, Reg. No. 26,160; Joseph D. Evans, Reg. No. 26,269; Gary R. Edwards, Reg. No. 31,824; and Jeffrey D. Sanok, Reg. No. 32,169.
- X a. The power appears in the original application papers in the prior application.
- X b. a copy of the executed power of attorney as submitted in the prior application is enclosed.
- c. Attached is a duplicate of a Supplemental Declaration which was filed in the prior application to overcome informalities.
- X d. Address all future correspondence to:
- J. D. Evans
CROWELL & MORING, LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
- X 16. An Information Disclosure Statement and Form PTO-1449 are submitted herewith.
17. A Preliminary Amendment is being filed herewith.
- X 18. Return Receipt Postcard.
- X 19. Other: Request for Transfer of Computer Readable Form of Sequence Listing and Application Data Sheet

Please note that a Petition for a three-month extension of time is also being submitted today (July 28, 2003) in parent application Serial No. 09/956,095, filed September 20, 2001.

Respectfully submitted,

July 28, 2003



J. D. Evans
Registration No. 26,269

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